

REMARKS

Claims 1-6 are all the claims pending in the present application. Claims 1-6 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Lee (US Patent No. 5,574,720).

With respect to independent claim 1, first, Applicants submit that Lee does not disclose or suggest at least, “A relay for use in telecommunications equipment,” as recited in claim 1. The Examiner simply states that Fig. 3 of Lee could be used in a relay for use in telecommunications equipment. Nowhere, however, does Lee describe that the traffic output suppression apparatus disclosed in Fig. 3 is a relay for use in a telecommunications equipment.

Further, Applicants submit that Lee does not disclose or suggest at least, “a mixer (M) adapted to detect the empty information cells and replace them with waiting cells,” as recited in claim 1. As the Examiner acknowledges, Lee discloses that a process-after-standby type cell processor 23 checks whether a cell buffer of the cell temporary storage device is in an empty state, and if so, the processor 23 passes the input cell. Nowhere, however, does Lee disclose detecting empty information cells and replacing them with waiting cells. There is no mention in Lee of at least the replacing operation.

Yet further, Applicants submit that Lee does not disclose or suggest at least, “a transmitter (E) adapted to transmit the information cells to a receiver outside said telecommunications satellite,” as recited in claim 1. The Examiner alleges that the network node interface means could be a receiver outside a telecommunications satellite. The Examiner has made this assertion without providing evidence in the applied reference or the knowledge of one of ordinary skill in the art, and therefore Applicants submit that this particular feature is not satisfied. The Examiner appears to have utilized impermissible hindsight reasoning in

concluding that a transmitter of Lee transmits information cells to a receiver outside a telecommunications satellite.

At least based on the foregoing, Applicants submit that Lee does not anticipate claim 1.

Applicants submit that independent claim 4 is patentable at least based on reasons similar to those set forth above with respect to claim 1.

Applicants submit that dependent claims 2, 3, 5, and 6 are patentable at least by virtue of their respective dependencies from independent claims 1 and 4.

Further, with respect to claims 2 and 5, Applicants submit that Lee does not disclose or suggest a relay comprising, inter alia, "a deleter (D) for deleting an information cell stored in said mass memory when it has been sent by said transmitter to said receiver," as recited in claim 2 and similarly recited in claim 5. To satisfy the above-quoted feature, the Examiner alleges that Lee teaches that the process-after-standby type cell processor 23 outputs a cell previously stored in the cell buffer and stores the input cell in the cell buffer. According to Applicant's understanding, the invention of Lee performs this alleged operation when a cell buffer is determined to be empty. Nowhere, however, does Lee disclose or suggest the conditional feature that the deleting of the information cell stored in mass memory is performed when it has been sent by said transmitter to said receiver. Therefore, at least based on the foregoing, Applicants submit that Lee does not anticipate claims 2 and 5.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.111
U. S. Application No. 10/043,326

ATTORNEY DOCKET NO. Q68075

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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